

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 449

Introduced by Campbell, 25; Louden, 49.

Read first time January 20, 2009

Committee: Nebraska Retirement Systems

A BILL

1 FOR AN ACT relating to the School Employees Retirement Act;
2 to amend section 79-954, Reissue Revised Statutes of
3 Nebraska; to change provisions relating to the cessation
4 of disability retirement allowance as prescribed; and to
5 repeal the original section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-954, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 79-954 (1) Except as provided in subsection (2) of
4 this section, if ~~If~~ a disability beneficiary under the age of
5 sixty-five years is restored to active service as a school employee
6 or if the examining physician certifies that the person is no
7 longer disabled for service as a school employee, the school or
8 disability retirement allowance shall cease. If the beneficiary
9 again becomes a school employee, he or she shall become a member of
10 the retirement system. Any prior service certificate, on the basis
11 of which his or her creditable service was computed at the time
12 of his or her retirement for disability, shall be restored to full
13 force and effect upon his or her again becoming a member of such
14 retirement system.

15 (2) If a disability beneficiary under the age of
16 sixty-five years is restored to active service as a school employee
17 and the examining physician certifies that the beneficiary has
18 a permanent disability, the beneficiary shall retain his or her
19 disability retirement allowance if the beneficiary's monthly income
20 does not exceed the applicable Substantial Gainful Activity amount
21 determined annually by the Social Security Administration for blind
22 and non-blind individuals.

23 Sec. 2. Original section 79-954, Reissue Revised Statutes
24 of Nebraska, is repealed.